

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

REC'D 18 MAY 2005

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To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION See paragraph 2 below

International application No.
PCT/DK2005/000031

International filing date (day/month/year)
20.01.2005

Priority date (day/month/year)
23.01.2004

International Patent Classification (IPC) or both national classification and IPC
G01M11/08, G01L1/24, G01B11/16

Applicant
LM GLASFIBER A/S

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or Industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for International preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1b/s(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/DK2005/000031

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 a sequence listing
 table(s) related to the sequence listing
 - b. format of material:
 in written format
 in computer readable form
 - c. time of filing/furnishing:
 contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
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PCT/DK2005/000031

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N) Yes: Claims 1-23
 No: Claims

Inventive step (IS) Yes: Claims 1-23
 No: Claims

Industrial applicability (IA) Yes: Claims 1-23
 No: Claims

2. Citations and explanations

see separate sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/DK2005/000031

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following document:

D1: US5094527

The document D1 is regarded as being the closest prior art to the subject-matter of claim 1, and shows (see Fig. 2 and 3):

A composite structure including a system adapted for use in temperature compensation of strain measurements, said system comprising:

- a holding means having connecting means adapted to connect optical fibers
- said holding means being adapted to hold a first optical fiber in such a way that its length only varies when subject to a change in temperature
- said holding means being adapted to hold a second optical fibers in such a way that its length varies with the temperature and the local strain of the composite structure wherein the holding means is embedded.

The subject-matter of claim 1 differs from this known device of the document D1 in that the system adapted for use in temperature compensation of strain measurements comprises an optical fiber having a number of reflecting structures and forming a loop in the holding means, the length of said loop varying freely when subject to a change in temperature.

The subject-matter of claim 1 is therefore new (Article 33(2) PCT).

The problem to be solved by the present invention may be regarded as accurately measuring the change in temperature at locations of a device where strain measurements are to be carried out.

The solution to this problem proposed in claim 1 of the present application is considered

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as involving an inventive step (Article 33(3) PCT) for the following reasons:

None of the documents of the available prior art teaches or hints at a device including a system adapted for use in temperature compensation of strain measurements comprising an optical fiber having a number of reflecting structures and forming a loop in the holding means of said system, the length of said loop varying freely when subject to a change in temperature.

The same reasoning applies to the subject-matter of the corresponding independent claims 13, 16, 18, 21, which are therefore considered as new and inventive.

Claims 1-12, 14, 15, 17, 19, 20, 22, 23 are dependent claims and as such also meet the requirements of the PCT with respect to novelty and inventive step.